

REMARKS

Applicant wishes to thank the Examiner for the attention accorded to the instant application, and respectfully requests reconsideration of the application as amended.

Formal Matters

Applicant requests that this amendment submitted under 37 CFR § 1.114 along with a Request for Continued Examination (RCE) be entered and the examination of the application be continued.

Claims 1-5 and 8-30 are currently pending in the application, claims 6 and 7 are canceled. Claims 1-5, 8-13, 16-26, and 28-30 are amended to more clearly recite the invention. Specifically, independent claims 1, 2, and 3 are amended to recite that when the buffer control signal from the parameter calculation check unit indicates that the pertinent process parameter has not been calculated, the coding/decoding parameter process unit calculates the pertinent process parameter, and when the buffer control signal indicates that the pertinent process parameter has been calculated, the buffer control means reads out the pertinent process parameter from the process parameter buffer. Support for this amendment can be found in original claims 6 and 7. These amendments also correct antecedent basis and minor typographical errors found throughout the claims. Note that additional support for the amendments to claims 11 and 12 can be found in the specification on pages 23-24.

Specification

In the specification, minor editorial corrections are made to the two paragraphs beginning on page 9, line 19, the paragraph beginning on page 17, line 20, the paragraph beginning on page 19, line 18, and the paragraph beginning on page 27, line 18. No new matter has been added.

Rejection of Claims Under 35 U.S.C. §103

Claims 1-12 and 18-30 are rejected under 35 U.S.C. § 103 (a) as unpatentable over the 3GPP ETSI TS 125331 “UMTS RRC Protocol Specification” (hereinafter “3GPP”) in view of Tim Forrester, U.S. Patent Application Publication No. 2002/0173284 (hereinafter “Forrester”). Claim 13 is rejected under 35 U.S.C. § 103 (a) as unpatentable over 3GPP in view of Tim Forrester, and further in view of Lee, et al., U.S. Patent Application Publication No. 2002/0082020 (hereinafter “Lee”). Claims 14-17 are rejected under 35 U.S.C. § 103 (a) as unpatentable over 3GPP in view of Lee and Forrester. These rejections should be withdrawn based on the comments and remarks herein.

The Examiner asserts a coding parameter calculation unit is *implied by* a device for calculating TFCI parameter in Section 10.3.5.12 of 3GPP. Applicant respectfully disagrees. The claims of the present invention recite a coding/decoding parameter calculation unit that calculates the pertinent process parameter (only) when the parameter calculation check unit (via a buffer control signal) indicates that the pertinent process parameter has not been calculated. Thus the claims recite a technique for achieving the advantage of retrieving a previously calculated process parameter instead of re-calculating it, reducing the number of times the process parameter is calculated and the consumer power necessary for determining a process parameter, lessening overall power required for processes. 3GPP teaches standards in accordance with which a process parameter is calculated, and does not teach or suggest any particular parameter calculation unit. Further, as the Examiner acknowledges, 3GPP does not teach or suggest a buffer or a buffer control signal. Accordingly, 3GPP does not teach or suggest a parameter calculation check unit that calculates a process parameter in response to a buffer control signal, so that 3GPP does not teach or suggest each element of independent claims 1-3.

Neither Forrester nor Lee overcomes this deficiency, and the Examiner does not state otherwise. The Examiner cites Forrester as disclosing memory to store process parameters and means for controlling the memory. Forrester does not teach or suggest a parameter calculation check unit calculating a process parameter. Similarly, Lee is cited as disclosing a process buffer parameter that is capable of setting the management of the supply and stopping of its own power. Lee does not teach or suggest a parameter calculation check unit that calculates the pertinent process parameter. Hence, independent claims 1-3, along with their dependent claims, patently distinguish from the art of record in the application.

It has been held by the courts that to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. See, *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). As illustrated above, 3GPP, Forrester, and Lee, in any combination, do not disclose or suggest a parameter calculation check unit calculating the process parameter in response to an indication from a buffer control signal, and do not teach or suggest each and every feature of the present invention as recited in independent claims 1-3. Thus *prima facie* obviousness has not been established, so that these independent claims are patentably distinguishable over the art of record in the application. Claims 4, 5, and 8-21 depend from claims 2 and/or 3, so that these dependent claims are patentably distinguishable over the art of record in the application for at least the reasons that their base claims are patentably distinguishable over the art of record in the application.

Independent claims 22-24 and 28-30 also stand rejected. The Examiner acknowledges that 3GPP does not disclose or suggest a process parameter buffer so that 3GPP cannot teach holding calculated parameters in storage function parts. The Examiner alleges that “high utilization frequency parameters” are not found in independent claims 22-24 and 28-30. Applicant respectfully disagrees, and points out that this element is found in claim 22 on line 10,

in claim 23 on line 5, in claim 24 on line 6, in claim 28 on line 10, in claim 29 on line 6 and in claim 30 on line 7.

Having high utilization frequency parameters reduces the need for re-calculation of process parameters and, in accordance with one of the objectives of the present invention, reduces the consumed power. None of 3GPP, Forrester and Lee, taken singly or in any combination, teach or suggest “high utilization frequency parameters” so that *prima facie* obviousness has not been established. Hence, independent claims 22-24 and 28-30 patentably distinguish over the art of record in the application. Claims 25-27 depend from claims 23 and/or 24, so that these dependent claims patentably distinguish over the art of record for at least the reasons that their base claims patentably distinguish over the art of record in the application.

Withdrawal of these rejections is respectfully requested.

Conclusion

In light of the foregoing, Applicant respectfully submits that all pending claims recite patentable subject matter, and kindly solicits an early and favorable indication of allowability. If the Examiner has any reservation in allowing the claims, and believes a telephone interview would advance prosecution, he is kindly requested to telephone the undersigned at his earliest convenience.

Respectfully submitted,



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